

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

THE SCOTTS COMPANY, LLC, *et al.*,

Plaintiffs,

v.

Civil Action 2:24-cv-4199

Judge Douglas R. Cole

Magistrate Judge Chelsey M. Vascura

**THE PROCTER & GAMBLE
COMPANY,**

Defendant.

ORDER

This matter is before the Court on Defendant Procter & Gamble Company's Motion to Seal Portions of Plaintiffs' Reply Submissions Filed in Support of their Motion for Preliminary Injunction (ECF No. 52). Therein, P&G seek leave to place Plaintiff, The Scotts Company's already-filed Reply in Support of its Motion for a Preliminary Injunction (ECF No. 46), Exhibits B, C, D, E, and O attached thereto (ECF Nos. 46-2¹, 46-3, 46-4, 46-5, 46-15) and Corrected Reply Brief (ECF No. 49) under seal. P&G asserts that the reply briefs and exhibits contain "confidential information relating to market and consumer research it conducted, its marketing and advertising plans, its business strategy and processes, financial information relating to the same, and the deposition testimony of Maris Croswell relating to the same." (ECF No. 52 at 2.)

Based on these representations, the undersigned concludes that the reply briefs and exhibits contain sensitive and confidential information that should be shielded from public

¹ Scotts filed Maris Croswell's entire deposition transcript as Exhibit B to its Reply. (ECF No. 46-2). After a conference with the Court on April 3, Scotts intends to refile only relevant portions of the transcript.

access. Accordingly, P&G's Motion (ECF No. 52) is **GRANTED**. Scotts has already filed both reply briefs, as well as all exhibits to those briefs, under seal. (*See* ECF Nos. 46, 49.) However, Scotts may file the forthcoming relevant portions of Ms. Croswell's deposition transcript under seal as well.

The Court is mindful that sealing of documents should be narrowly tailored and no broader than necessary. *See Shane Group, Inc.*, 825 F.3d at 305. Accordingly, P&G shall, **WITHIN SEVEN DAYS**, file a redacted version of the reply briefs and exhibits B, C, D, E, and O on the public docket, redacting only that information constituting the confidential information as described in P&G's Motion (ECF No. 52).

IT IS SO ORDERED.

/s/ Chelsey M. Vascura
CHELSEY M. VASCURA
UNITED STATES MAGISTRATE JUDGE